

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: pending Patent Application
of:

George A. Smith et al.

Serial No. 09/665,642

Filing Date: 09/19/00

For: "Alkyl Toluene Sulfonate
Detergents"

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Group Art Unit: 1751

Examiner: Ogden; Necholus

11/23/04

Commissioner for Patents
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Petitioner, Huntsman Petrochemical Corporation, is the owner of the entire right, title and interest in the above-captioned application (the assignment was recorded at REEL/FRAME 011140/0663 on 09/19/00). Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-captioned application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156, and §173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second and third patent Applications Serial Nos. 10/263,547 and 10/370,144 (the assignment of which are recorded on REEL/FRAME 013554/0043 on 11/15/02 and 013809/0888 on 2/19/03, respectively). The evidentiary documents for the assignments have

been reviewed, and petitioner certifies that to the best of petitioner's knowledge and belief, title is in the assignee to take this action. Petitioner hereby agrees that any patent so granted on the above-captioned application shall be enforceable only for and during such period that it and any patent granted on the second and third applications are commonly owned. This agreement runs with any patent granted on the above-captioned application and is binding upon the grantee, its successors or assigns. It is understood that: *"the filing of a terminal disclaimer simply serves the statutory function of removing the rejection of double patenting, and raises neither presumption nor estoppel on the merits of the rejection"* quad *Environmental Technologies v. Union Sanitary District*, 20 USPQ2d 1392 (Fed. Circ. 1991)

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the above-captioned application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of any patent granted on the second or third applications, as shortened by any terminal disclaimer filed prior to the grant of a patent in these second or third applications, in the event that any such patent granted: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The undersigned is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these

statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Authorization is given to charge Deposit Account No. 08-3442 for the fee required under 37 C.F.R. §1.20(d) for submission of this Terminal Disclaimer.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Chris Whewell". The signature is fluid and cursive, with the first name "Chris" and last name "Whewell" clearly distinguishable.

Christopher J. Whewell, Reg. No. 37,469
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